

Issued on: July 7, 1995.

**Patricia Breslin,**

*Acting Associate Administrator for Safety  
Performance Standards.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 228

[Docket No. 950504128-5128-01; I.D.  
031095A]

RIN 0648-AG80

#### Small Takes of Marine Mammals; Harassment Takings Incidental to Specified Activities

**AGENCY:** National Marine Fisheries  
Service (NMFS), National Oceanic and  
Atmospheric Administration (NOAA),  
Commerce.

**ACTION:** Proposed rule; extension of  
comment period.

**SUMMARY:** On June 20, 1995, NMFS  
received a letter from the U.S. Navy  
requesting an extension of the public  
comment period on the proposed rule to  
establish a process for timely

authorizations of small takes of marine  
mammals by incidental harassment. The  
U.S. Navy is concerned about many  
aspects of the rule, as proposed, and has  
therefore distributed the proposed rule  
to affected field commands and  
activities for review and comment. As it  
will take several weeks to consolidate  
these responses and evaluate the  
operational and fiscal effect on the U.S.  
Navy's mission, an extension of the  
comment period has been requested.  
Accordingly, the comment period on the  
proposed rule is hereby extended.

**DATES:** Comments must be received no  
later than October 16, 1995.

**ADDRESSES:** Written comments on the  
proposed rule should be addressed to  
Chief, Marine Mammal Division, Office  
of Protected Resources, National Marine  
Fisheries Service, 1315 East-West  
Highway, Silver Spring, MD 20910-  
3226. A copy of the Environmental  
Assessment (EA) may be obtained by  
writing to this address or by telephoning  
the contact listed below.

Comments regarding the burden-hour  
estimate or any other aspect of the  
collection-of-information requirement  
contained in this rule should be sent to  
the above individual and to the Office  
of Information and Regulatory Affairs,  
Office of Management and Budget

(OMB), Attention: NOAA Desk Officer,  
Washington, D.C. 20503.

**FOR FURTHER INFORMATION CONTACT:**  
Kenneth R. Hollingshead, Office of  
Protected Resources, NMFS, (301) 713-  
2055.

**SUPPLEMENTARY INFORMATION:** On May  
31, 1995, NMFS published a proposed  
rule (60 FR 28379) that sets forth a  
proposed process for applying for and  
obtaining an incidental harassment  
authorization; the time limits set by the  
statute for NMFS review, publication,  
and public notice and comment on any  
applications for authorization that  
would be granted; and the requirements  
for submission of a plan of cooperation  
and for scientific peer review of an  
applicant's monitoring plans (if that  
activity may affect the availability of a  
species or stock of marine mammal for  
taking for subsistence purposes). This  
rule also proposed changes to the  
existing regulations to clarify the  
requirements for obtaining a small take  
authorization.

Dated: July 6, 1995.

**William W. Fox, Jr.,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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